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12 Attorneys for Defendant  
13 COSTCO WHOLESALE CORPORATION

14 **UNITED STATES DISTRICT COURT**  
15 **EASTERN DISTRICT OF CALIFORNIA**  
16 **SACRAMENTO DIVISION**

17  
18 JUAN OCHOA JR.,  
19 Plaintiff,  
20 v.  
21 COSTCO WHOLESALE CORPORATION and  
DOES 1-10, inclusive,  
22 Defendants.  
23  
24

Case No. 2:22-cv-02287-KJM-AC

**STIPULATION To Continue The Fact  
Discovery Cutoff To Coincide With The  
Expert Discovery Cutoff; [PROPOSED]  
ORDER**

Complaint Filed: November 18, 2022

1 Plaintiff JUAN OCHOA, JR. (“Plaintiff”) and Defendant COSTCO WHOLESALE  
2 CORPORATION (“Defendant”) (collectively with Plaintiff, “the Parties”), by and through their  
3 respective attorneys of record herein, hereby stipulate as follows:

4 **WHEREAS**, on June 30, 2023 this Court set a pre-trial case schedule which ordered, in part,  
5 that all fact discovery be completed by March 15, 2024 and all expert discovery be completed by May  
6 31, 2024. (Dkt. No. 16);

7 **WHEREAS**, the Parties have engaged in extensive discovery throughout this litigation and will  
8 soon commence depositions, but require additional time to complete discovery and depositions before  
9 the present fact discovery cutoff. In particular, Defense counsel is presently engaged in trials through  
10 the majority of February and March. As such, the Parties have met and conferred and agreed to stipulate  
11 to extend the fact discovery cutoff to coincide with the expert discovery cutoff of May 31, 2024 in  
12 order to give the Parties more time to conduct the necessary discovery.

13 **WHEREAS**, this Court’s Standing Scheduling Order provides that “ . . . the Magistrate Judge  
14 may modify a discovery cutoff to the extent such modification does not have the effect of requiring a  
15 change to the balance of the schedule.” (Dkt. No. 17);

16 **WHEREAS**, the Parties agree that a brief modification of the schedule to make the fact  
17 discovery cutoff and expert discovery cutoff coincide should not require a change to the balance of the  
18 schedule.

19 **IT IS SO STIPULATED.**

20  
21 DATED: February 5, 2024

MAYALL HURLEY P.C.

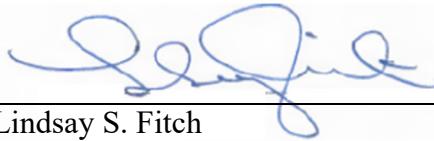
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23 By: \_\_\_\_\_  
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NICHOLAS F. SCARDIGLI  
Attorneys for Plaintiff  
JUAN OCHOA

1 DATED: February 5, 2024

2 Respectfully submitted,

3 SEYFARTH SHAW LLP

4 By: 

5 Lindsay S. Fitch  
6 Bradley D. Doucette

7 Attorneys for Defendant  
8 COSTCO WHOLESALE CORPORATION

**[PROPOSED] ORDER**

The Court, having reviewed the Parties' Joint Stipulation To Continue The Fact Discovery Cutoff to Coincide With The Expert Discovery Cutoff, and good cause appearing therefor, HEREBY ORDERS AS FOLLOWS:

1. The present Fact Discovery Cutoff is continued to May 31, 2024.

IT IS SO ORDERED.

DATED: February 6, 2024

Allison Claire  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE